

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

UNITED STATES OF AMERICA

v.

VICTOR MARTIN SERRANO CARRILLO

§
§
§
§
§

CRIMINAL NO. 5:23-cr-00263-02

FACTUAL STATEMENT IN SUPPORT OF PLEA AGREEMENT

The United States of America, by and through ALAMDAR S. HAMDANI, United States Attorney for the Southern District of Texas and Jose Homero Ramirez, Assistant United States Attorney, and the defendant, **VICTOR MARTIN SERRANO CARRILLO** and the defendant's counsel, hereby stipulate as follows:

I.

If this case proceeded to trial, the United States of America would prove each element of the offense beyond a reasonable doubt. The following facts, among others, would be offered to establish the Defendant's guilt:

II.

A.

Defendants' Prohibited Status

1. Jocelyn Jasmin Recio – Prohibited Status: Prior Felony Conviction (18 U.S.C. 922(g)(1)

On April 19, 2018, Jocelyn Jasmin Recio was convicted in the Southern District of Texas, Laredo Division, in Case No. 5:15-cr-1017-01, on one count of transporting an undocumented alien within the United States for commercial advantage or private financial gain. This crime is punishable with a custodial sentence of up to 10 years [8 USC 1324(a)(1)(B)(i)].

2. Victor Martin Serrano-Carrillo – Prohibited Status: Alien Illegally or Unlawfully in the United States – (18 U.S.C. 922(g)(5)(A)

Federal agents confirmed that Victor Martin Serrano-Carrillo is currently and was, between February 9, 2023, and February 28, 2023, a citizen of Mexico present in the United States illegally and unlawfully. Serrano confirmed the same to Federal agents.

B.
Factual Summary

1. February 9, 2023 – February 17, 2023

Beginning on February 9, 2023, an undercover Federal agent, (UC), posing as a truck driver, engaged in voice and text communication with Joccelyn Jasmin Recio (Recio) concerning the UC's interest in purchasing pistols, rifles and ammunition to smuggle to Mexico.

Between February 9, 2023, and February 17, 2023, Recio and UC engaged in numerous recorded communications. Recio affirmed that she had access to semi-automatic pistols and rifles, fully automatic pistols and rifles, revolver pistols and ammunition. Recio explained precautions she took when providing ammunition to persons who intended to smuggle ammunition from the United States to Mexico. Recio sent photos of various firearms to UC over the course of their negotiations and advised UC of her prices. UC selected the firearms that he wished to buy and made it clear to Recio a second time that he intended to smuggle the firearms to Mexico for resale there.

2. February 17, 2023: Two pistols, one rifle, 31 rounds of ammunition and one pistol magazine:

Glock, Model 43, 9mm pistol, serial number AGSX935;
Taurus, model PT-140 G2c, 9mm pistol, serial number ADK788660;
Ruger, model PC Carbine, 9mm rifle, serial number 470-13707.

On February 17, 2023, Recio and UC met in separate cars at the Mall Del Norte parking lot in Laredo, Texas after Recio agreed to sell two pistols and one rifle for \$3,000 USD.

Recio and Victor Martin Serrano-Carrillo arrived in a Chrysler 200. Serrano was the driver and Recio was his passenger. Federal agents saw Serrano hand two pistols to Recio. Recio walked

to and entered the UC vehicle and sat in the front seat, next to and in view of, the UC. Recio handed the two pistols, a Glock, Model 43, 9-millimeter semi-automatic pistol, serial number AGSX935, and a Taurus, Model PT-140 G2c, 9-millimeter semi-automatic pistol, serial number ADK788660 to the UC and requested \$850 USD for each one. Recio offered a Ruger pistol magazine for \$50 USD. She also gave UC a bag containing approximately 31 live rounds of loose ammunition in 9-millimeter and .380 caliber for no charge. The UC asked about the rifle and Recio told the UC that “they” needed the money for the two pistols before she would bring the rifle over. The UC handed Recio \$1,800 USD in cash. Recio counted the money while still in the UC’s vehicle, then left and returned with a Ruger, PC Carbine, in 9-millimeter, serial number 470-13707. Recio requested \$1,200 USD for the Carbine. The UC agreed to buy it and told Recio that he was interested in AR-type rifles to take to Mexico. Recio advised that she look for some. The UC handed Recio \$1,200 USD in cash.

Later that evening, Recio sent UC a photo of an AR-style rifle. UC advised Recio that he was on his way to Mexico with the two pistols and the rifle he had just purchased from Recio. On February 18, 2023, at approximately 2:22 a.m., UC messaged “llegamos bien”, meaning “we arrived safe and sound.” Recio replied, “gracias a Dios, llegaron bien”, meaning “Thanks to God you arrived safe and sound.”

3. February 18, 2023 to February 28, 2023

Between February 18, 2023, and February 28, 2023, Recio continued advising UC of other firearms for sale.

On February 18, 2023, Recio sent a photo of a Glock pistol and a magazine. UC replied that the people in Mexico were requesting AR- and AK-style, and .50 caliber rifles and ammunition.

On February 19, 2023, Recio sent a video of an AK-type rifle and two pistols, photos of four AR-style rifles with four magazines and advised UC that they were in 5.56-millimeter and would cost UC \$2,500 USD each. Recio informed UC that she had sent the same photo of the firearms to a “comandante de Monterrey”, meaning a “commander in Monterrey, Mexico.” Recio instructed UC to make a deposit by CashApp to avoid her selling the firearms to other interested buyers. The UC replied that he only dealt in cash and sent Recio a photo of cash for the four AR-style rifles. Despite agreeing to meet UC in Laredo, Texas, on February 23, 2023 to sell UC the four AR-style rifles, Recio and Serrano did not show.

On February 26, 2023, Recio replied and explained that she was in San Antonio but would return to Laredo, Texas the next day to conclude the sale. Recio continued to send UC several photos and videos of various other firearms that she had for sale. UC told Recio that due to Recio’s non-appearance on February 23, 2023, the UC was left looking bad with the Mexican buyers.

After further communications Recio agreed to deliver four firearms: three pistols, several magazines and an AR-15 style rifle, for \$5,500 USD, and agreed to meet at a store parking lot in Laredo, Texas.

4. February 28, 2023 – Second Meet – Arrest of Defendants and associates
Three pistols, one AR-type rifle, 92 rounds of ammunition, and five magazines:
CZ, model CA75 P-01, 9mm pistol, serial number C824009;
Smith & Wesson, Model M&P 9 (M2.0), 9mm pistol, serial number NBJ4419;
Glock, model 27, .40 caliber pistol, serial number RUA650;
Anderson Manufacturing, AM-15, multiple caliber rifle, serial number 22090425.

On February 28, 2023, Federal, local and state law enforcement officers set up in and around the parking lot of the meeting location.

At approximately 5:58 p.m., Serrano and Recio arrived and parked directly behind the UC’s vehicle. Serrano was driving and remained in the driver’s seat. Recio left the Chrysler and entered the UC’s vehicle. Once inside the UC’s vehicle, Recio removed a CZ, Model CA75 P-01, 9-

millimeter semi-automatic pistol with serial number C824009, from her waistband and handed it to the UC. Recio asked \$850 USD for it.

Recio asked the UC to wait because someone else would bring the remaining firearms. Recio made a phone call and reported that the person was on his way with three other firearms and requested \$5,500 for them. While they waited, Recio explained that the firearms did not belong to her. She obtained them from others and received a cut from the sale. Recio said that she made \$150 USD for the firearms she sold the UC on the February 17, 2023.

At approximately 6:35 p.m., a gray Chevrolet Malibu and parked nearby. Recio used her cellphone to direct the person in the Malibu to park next to them. Recio then exited the UC's vehicle, walked over to the Malibu and spoke to the driver, who was the sole occupant, later identified as a 17-yr-old juvenile named A.B. Recio returned to the UC's vehicle and handed the two pistols to the UC. The pistols were a Smith & Wesson, Model M&P 9 (M2.0), 9-millimeter pistol with serial number NBJ4419, and a Glock, model 27, .40 caliber pistol with serial number RUA650. Moments later, A.B. entered the rear seat of UC's vehicle with a loaded AR-type rifle, an Anderson Manufacturing, AM-15, multiple caliber rifle with serial number 22090425, chambered for 5.56 millimeter, and sat behind the UC. A.B. handed it to UC who took the rifle and removed live round in the rifle's chamber. A.B. had removed and kept the loaded magazine.

UC and Recio told A.B. to wait in his own car. A.B. declined because he said that it was his rifle and didn't want to be robbed. Recio told A.B. that UC was "el comandante de Monterrey", meaning "the commander from Monterrey (Mexico)."

UC asked A.B. to identify which of the firearms were fully automatic, because Recio had earlier indicated that the Glock was a fully automatic firing pistol. A.B. stated that none were fully automatic. A.B. added that he couldn't find the "switch" (referring to a "Glock switch") for the

Glock pistol. A.B. then offered to sell brand new ammunition to UC. Recio then asked for her money. UC placed a phone call to have someone to bring the money.

Agents then arrested Recio and A.B. at the scene. Serrano drove away in the Chrysler when the agents and officers appeared but caught up with him and arrested him.

C.

Interstate/International Nexus for Firearms

An ATF Special Agent examined the firearms obtained on February 17, 2023 and determined their manufacture and/or importer as listed. All firearms examined were manufactured outside of the State of Texas.

1. Ruger, model PC Carbine, 9mm rifle, with serial number 470-13707 was manufactured by Sturm, Ruger & Company Incorporated in the State of New Hampshire.
2. Glock, Model 43, 9mm pistol, with serial number AGSX935 was manufactured by Glock Incorporated USA in the State of Georgia.
3. Taurus, model PT-140 G2c, 9mm pistol, with serial number ADK788660 was manufactured by Taurus Forjas S.A., in Brazil, and imported into the United States by Taurus International Manufacturing, Incorporated to the State of Georgia.

An ATF Special Agent examined the firearms seized on February 28, 2023 and determined their manufacture and/or importer as listed. All firearms examined were manufactured outside of the State of Texas.

1. CZ, model CA75 P-01, 9mm pistol with serial number C824009 was manufactured by Česká Zbrojovka Group in the Czech Republic and imported the United States by CZ-USA to the State of Kansas.

2. Smith & Wesson, Model M&P 9 (M2.0), 9mm pistol with serial number NBJ4419 was manufactured by Smith & Wesson in the Commonwealth of Massachusetts.
3. Glock, model 27, .40 caliber pistol with serial number RUA650 was manufactured by Glock GmbH in Austria and imported into the United States by Glock Incorporated USA to the State of Georgia.
4. Anderson Manufacturing, AM-15, multiple caliber rifle with serial number 22090425 was manufactured by Anderson Manufacturing in the State of Kentucky.

D.
Defendant Serrano's Statement

After rights advisement and waiver, Serrano admitted that he is a Mexican citizen living illegally in the United States and possesses no legal documents that would allow him to be in or remain in the United States. Serrano admitted that he knew that he was not allowed to possess or purchase a firearm due to his immigration status. Serrano admitted that he located and found firearms which Recio would sell. Serrano found firearms for sale on social media sites and purchased them for Recio through private transactions. After selling each firearm that Serrano procured for Recio, Recio paid Serrano \$100 USD. Serrano admitted that he personally acquired the Ruger, PC Carbine in 9-millimeter and delivered it to Recio for resale to the UC about one week before February 17, 2023. He also admitted that he personally handled all the other firearms that Recio sold to the UC on February 17, 2023.

Additionally, Serrano said that on February 28, 2023, he picked up Recio from her residence, gave her his CZ CA75, Model P-01 pistol, which he erroneously identified as a "Ruger pistol", and drove her to the sale on February 28, 2023. Serrano stated that he acquired it about a week before from a known person. Serrano admitted that he drove Recio on February 17, 2023

and February 28, 2023, knowing that he and Recio intended to sell firearms to the UC believing that the firearms were going to be smuggled by the UC to Mexico.

Serrano admitted that he knew A.B. personally. On February 17, 2023, A.B. offered to provide Serrano firearms to sell on February 17, 2023. However, Serrano contacted A.B. and invited him go to the meeting on February 28, 2023, to sell his AR-type rifle.

III.

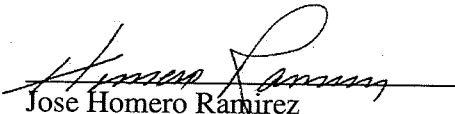
Defendant, **VICTOR MARTIN SERRANO-CARRILLO**, hereby confesses and judicially admits that **from February 17, 2023 through February 28, 2023**, he **conspired** with Joccelyn Jasmin Recio and other persons, to transport, transfer, cause to be transported, or otherwise dispose of one or more firearms to another person, in and affecting interstate or foreign commerce, knowing or having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony (as defined in section 932(a)), specifically the fraudulent and knowing smuggling or attempted smuggling of merchandise, articles or objects, to wit: firearms, to Mexico, in violation of Title **18**, United States Code, Sections **933(a)(1), (a)(3), and (b)**.

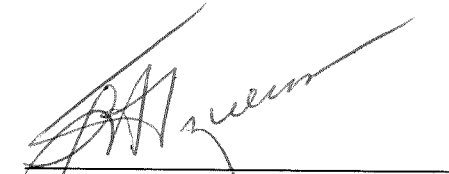

VICTOR MARTIN SERRANO CARRILLO
Defendan

APPROVED:

ALAMDAR S. HAMDANI
UNITED STATES ATTORNEY

By:


Jose Homero Ramirez
Assistant United States Attorney
Southern District of Texas
Telephone: (956) 723-6523


Luis Antonio Figueroa
Attorney for Defendant